

GARFUNKEL WILD, P.C.

ATTORNEYS AT LAW

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Application granted. Defendants shall file their answer or letter requesting a pre-motion conference by December 13, 2024. Additionally, in light of the filing of Plaintiff's Second Amended Complaint (Doc. 36), Defendants' motion to dismiss the First Amended Complaint (Doc. 28) is denied as moot.

The Clerk of the Court is respectfully directed to mail a copy of this Order to Plaintiff and terminate the motion sequences pending at Doc. 28 and Doc. 37.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
October 8, 2024

FILE NO.: 12118.0001

By ECF

The Honorable Philip M.
United States District Judge
Hon. Charles L. Brieant Jr.
300 Quarropas Street, Room 530
White Plains, New York 10601

Re: *Brikman v. Westchester Medical Center Advanced Physician Services, P.C., et al.*
Case No. 23-cv-10749

Dear Judge Halpern:

We represent Defendants Westchester Medical Center Advanced Physician Services, P.C., Angelica Poniro, Mat Gawronski, and Gabbie Fried in the referenced action. We write, with Plaintiff's consent, to request a sixty day extension (from October 14 to December 13, 2024) to respond to Plaintiff's Second Amended Complaint.

In this amended pleading, Plaintiff has added new causes of action and over one-hundred additional paragraphs. Plaintiff's Second Amended Complaint asserts, in total, nineteen causes of action and contains over four-hundred and seventy paragraphs spanning 111 pages based on events that occurred as early as 2018. To allow us sufficient time to review and investigate these allegations and new claims and in light of holidays and pre-scheduled time away from the office, a 60-day extension of time to respond is necessary.

This is Defendants' first request for an adjournment of time to respond to the Second Amended Complaint. Given that this request is made with Plaintiff's consent, it is not anticipated to prejudice any party or impact any present or future deadlines.

We thank Your Honor for your time and attention to this matter.

Respectfully submitted,

/s/ Dayna B. Tann

NEW YORK

NEW JERSEY

CONNECTICUT

FLORIDA

Dayna B. Tann

cc: All Parties (by ECF)

GARFUNKEL WILD, P.C.